

REMARKS

Claims 1-15 are currently under examination. New claims 15-18 have been added. Support for the new claims is found throughout the specification and claims as originally filed. For example, support for new claims 15 and 17, as they recite, the inhibitor or agent “comprises a nucleic acid”, is found on page 12, paragraph [0041], lines 1-4, and page 14, continuation of paragraph [0053], line 5. Support for new claims 15 and 17, as they recite the inhibitor or agent “blocks gene expression of the annexin 2 gene” is found, for example, on page 12, continuation of paragraph [0038], lines 1-2. Support for new claims 16 and 18, as they recite, the inhibitor or agent “is a morpholino oligonucleotide” is found, for example, on page 7, paragraph [0020]. Entry of new claims 15-18 is respectfully requested.

In response to the Restriction Requirement mailed January 4, 2008, Applicants elect Group I, with traverse. Claims 1-3 and new claims 15 - 18 are encompassed by Group I.

In the Restriction Requirement, the Examiner has referred to Benaud et al. (The Journal of Cell Biology 164(1): 133-144) as prior art to the instant application, as teaching the common technical feature of Groups I-VI. The Examiner uses this as support for her assertion that the application lacks Unity of Invention under PCT Rule 13.1. The Examiner indicates that Benaud et al. was published January 5, 2004. Applicants respectfully request the Examiner to acknowledge the priority date of February 2, 2003, which is the filing date of the United States priority document Provisional Application 60/444,475. Since Applicants' priority date is prior to the publication date of Benaud et al., Benaud et al. is not prior art, and the disclosure should not be used to determine whether the instant claims have or lack unity of invention. Applicants submit that in light of the elimination of Benaud et al. as prior art, claims 1-14 do not lack unity of invention under PCT Rule 13.1.

Applicants traverse the Restriction Requirement as unnecessarily separating the invention recited in claims 1-3, 6-10 and 14, into three different groups, Groups II, IV and V. Applicants submit that claims 1-3, 6-10 and 14 are all drawn to methods of screening and as such these inventions are so linked as to form a single general inventive concept. As such, they have unity of invention under 37 C.F.R. 1.475. Applicants submit that Groups II, IV and V should be reformed as new Group II.

Page 6 of 6

In the event that there are any questions relating to this Amendment or to the application in general, it is kindly requested that the Examiner contact the undersigned attorney concerning the same to expedite prosecution of this application.

Entry of the foregoing and prompt and favorable consideration of the subject application on the merits are respectfully requested.

Fee deficiencies associated with the submission of this document may be charged to the NIXON PEABODY LLP Deposit Account No. 50-0850.

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Respectfully submitted,

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